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Applicant: Harold R. Garner

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Docket No. UTSD: 0668

Examiner: Brusca, John

Title: *A Program for Microarray Design and Analysis*

CERTIFICATE OF TRANSMISSION
I hereby certify that this copy is being transmitted by facsimile to the Comm for Patents 571-273-8300 on December 6, 2005.

Signed


Richard Aron Osman

RESPONSE

United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Examiner:

Thank you for the Final Action dated Dec 02, 2005. Claims 3, 4, 6, 8 and 10 are objected to for grammatical inconsistency, presumably a petitionable matter.

We have carefully reviewed these claims, and believe the recitations of plural "criteria", "datasets", "databases", and "parameters" in claims 3, 4, 6, 8, and 10 are grammatically acceptable and reconcilable with claim 1.

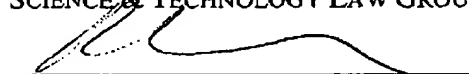
Claim 1 recites a "user defined criterion", a "dataset", a "database", and a "user-defined selection parameter." Claims 3 and 4 recite a system according to claim 1, wherein the "user defined criterion" is one of a plurality of user-defined criteria. Claim 6 recites a system according to claim 1, wherein the "dataset" is one of a plurality of datasets. Claim 8 recites a system according to claim 1, wherein the "database" is one of a plurality of databases. And claim 10 recites a system according to claim 1, wherein the "user-defined selection parameter" is one of a plurality of user-defined selection parameters.

For example, in claim 3 the criterion is one of a plurality of user-defined criteria, and the search function searches the annotations of the dataset according to the *criteria* and outputs a first subset of the dataset restricted by the *criteria*. In other words, the search function searches the annotations of the dataset according to several criteria (including the criterion recited in claim 1), and outputs a first subset of the data set restricted by these several criteria (including the criterion recited in claim 1).

Claim 1 requires a search function which searches the annotations of the dataset according to a user-defined criterion and outputs a first subset of the dataset restricted by the criterion. And that criterion may be one of a plurality of criteria, as set forth in claims 3-4. Hence, claim 1 does not preclude a search function which searches the annotations of the dataset according to a user-defined criterion that is one of a plurality of user-defined criteria. Similarly, the dataset of claim 1 may be one of a plurality of datasets (as set forth in claim 6); the database of claim 1 may be one of a plurality of databases (as set forth in claim 8); and the parameter of claim 1 may be one of a plurality of user-defined selection parameters (as set forth in claim 10). Accordingly, we submit that claims 3, 4, 6, 8 and 10 are grammatically acceptable and reconcilable with claim 1.

We petition for all necessary extensions of time, and authorized applying any fees or overcharges relating to this communication to our Dep. Acct. No.19-0750 (order UTSD:0668).

Respectfully submitted,
SCIENCE & TECHNOLOGY LAW GROUP



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